

A Resolution

NO. 3616-05-2008

WHEREAS, Gregory Geotechnical (Geotech) has provided geotechnical services for the City for a number of years. Geotech's services are needed for further evaluation of premature street failures as well as expert witness services in the prosecuting of claims by the City;

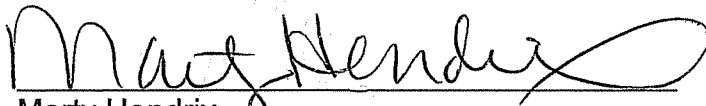
WHEREAS, to date the cost of legal services by Geotech in these matters and to represent the City in various lawsuits have been in the amount of \$49,061.08; and

WHEREAS, because of the importance of the issues raised, it is the opinion of the City Attorney to authorize an additional sum of \$100,000 to Geotech for their services concerning these matters not to exceed \$150,000.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

That the compensation authorized to be paid to Gregory Geotechnical is hereby increased from \$50,000 to an amount not to exceed \$150,000.

ADOPTED this 6th day of May, 2008.

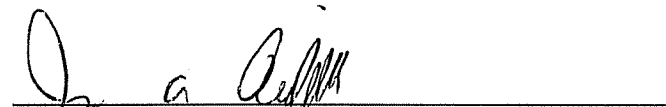

Marty Hendrix
City Secretary

APPROVED
CITY COUNCIL

MAY 06 2008


City Secretary of the
City of Fort Worth, Texas

APPROVED AS TO FORM:


Assistant City Attorney



CITY OF FORT WORTH

City of Fort Worth, Texas
Mayor and Council Communication

COUNCIL ACTION: Approved on 5/6/2008 - Res. # 3616-05-2008 & Ord. # 18076-05-2008

DATE: Tuesday, May 06, 2008
LOG NAME: 12GEOINCREASE

REFERENCE NO.: G-16127

SUBJECT:

Adopt Resolution to Increase the Maximum Amount to be Paid to Gregory Geotechnical for Expert Witness Services Regarding Premature Street Failures in an Amount Not to Exceed \$150,000 and Adopt Appropriation Ordinance

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt the attached supplemental appropriation ordinance increasing appropriations in the Water and Sewer Fund by \$50,000 and decreasing the unreserved, designated fund balance of the Water and Sewer Fund by the same amount; and
2. Adopt the attached resolution authorizing the maximum amount to be paid to Gregory Geotechnical ("Geotech") be increased to \$150,000 to further fund the contract with Geotech.

DISCUSSION:

Geotech has provided geotechnical services for the City for a number of years. Geotech's services are needed for further evaluation of premature street failures as well as expert witness services in the prosecuting of claims by the City.

By adoption of M&C No. G-15666 on April 10, 2007, City Council authorized an agreement with Gregory Geotechnical concerning evaluation of premature street failures.

M&C G16041, adopted on February 12, 2008, authorized payment to Geotech in an amount not to exceed \$50,000. To date, Geotech has billed the City \$49,061.08 for its services. Geotech has been providing geotechnical services relating to premature street failures. Because of the importance of the issues raised, it is the opinion of the City Attorney to authorize an additional sum of \$100,000 to Geotech for their services concerning these matters, not to exceed \$150,000.

FISCAL INFORMATION/CERTIFICATION:

The Finance Director certifies that funds are available in the current operating budget of the General Fund and that upon approval of the above recommendations and adoption of the attached supplemental appropriation ordinance, funds will be available in the current operating budget, as appropriated of the Water and Sewer Fund. Upon approval, the unaudited available cash balance of the Water and Sewer Fund will be \$47,642,228. Financial Management Policy Statements state that the City shall strive to maintain the Water and Sewer Fund operating reserve at an amount equaling 20 percent of the current year budget appropriation for the operation and maintenance, which is defined as the total budget less debt service and capital project expenditures.

TO Fund/Account/Centers**FROM Fund/Account/Centers**GG01 531200 0905500 \$50,000.00PE45 531200 0601000 \$50,000.00

Submitted for City Manager's Office by:

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